

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:23-cr-30

vs.

MARCEL WALLACE,

District Judge Michael J. Newman

Defendant.

ORDER: (1) CONFIRMING THAT THE PARTIES' JOINT MOTION FOR A CHANGE PLEA HEARING WAS GRANTED (Doc. No. 12); AND (2) ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE (Doc. No. 17)

This criminal case is before the Court on the parties' joint motion for a change of plea hearing (Doc. No. 12), and on the Report and Recommendation of the United States Magistrate Judge, recommending that the Court accept Defendant Marcel Wallace's guilty plea (Doc. No. 17). The Court hereby **CONFIRMS** that the parties' joint motion for a change of plea hearing was granted. *See id.* Moreover, there being no objections, the Court **ADOPTS** the Report and Recommendation in full and **ACCEPTS** Defendant's plea of guilty to Count 2 of the indictment currently pending against him and finds him guilty as charged of possession with intent to distribute 40 grams or more of fentanyl and a mixture or substance containing methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1). *See* Doc. Nos. 2, 14. The Court will defer the decision of whether to accept the plea agreement until the sentencing hearing.

IT IS SO ORDERED.

September 1, 2023

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge